



# Iowa Department of Human Services

Terry E. Branstad  
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Director

10/03/14

Date Complaint Received:	July 23, 2014
Complaint Received By:	DHS
Provider Name and Location:	Tina Williams/Sonya Bender, Cedar Rapids, Iowa

**Complaint:** On July 23, 2014 DHS received a complaint on the Category C-2 Registered Child Development Home of Tina Williams and Sonya Bender. It was alleged while child 1 was in Tina's care, an older child in her home (Child A) put their hands down Child 1's underwear and touched their genital area. This occurred in a second floor bedroom of the child development home. Child A asked Child 1 to come into the bedroom and shut the door. Child A asked Child 1 to touch their genital and Child 1 said no.

**Rule Basis:** 441 IAC 110.5 (1) Conditions in the home are safe, sanitary, and free of hazards.

441 IAC 110.5 (9) a- Gives careful supervision at all times.

c- Gives consistent, dependable care.

441 IAC 110.10 (3) – Facility requirements:

c- If the second story or basement are used for child care, other than the use of a restroom, there is, in addition to one inside stairway, at least one direct exit to the outside.

**Findings:** On July 24, 2014 DHS social workers Dale Garlinghouse and Jamie Trpkosh met with Bob and Tina Williams in their home. The allegation DHS received was brought to their attention. There were no children present in the home and Ms. Williams shared she was not doing child care today. Mr. Garlinghouse inquired about the use of the second floor for child care. Ms. Williams reported she rarely lets day care children go upstairs for child care. She stated day care children have been allowed upstairs [take out: this has happened] maybe three other times in the past. Ms. Williams reported she checked on the children upstairs "every 5 minutes." Mr. Garlinghouse informed Ms. Williams she was out of compliance for using the second floor which does not have the required second direct exit and that she needed to immediately cease using this area for child care.

A Safety Plan was signed on this date in which Ms. Williams agreed she would no longer use her second floor for child care and that Child A would not be allowed on the premises during child care hours of operation.

On August 5, 2014 DHS social workers Dale Garlinghouse and Jamie Trpkosh met with Tina Williams in her home. Ms. Trpkosh asked Ms. Williams if Child A had any history of sexual acting out. Ms. Williams denied knowing of any history of that type of behavior by Child A. Ms. Trpkosh asked Ms. Williams if she was aware of a previous situation involving Child A and inappropriate touching with a foster child in her home about a year ago. Ms. Trpkosh told Ms.

Williams it was reported Child A had inappropriately touched a foster child while they were in respite at the Williams home. Ms. Williams denied having any knowledge of this incident and stated this was the first she had heard of it..

Mr. Garlinghouse asked about the statement Ms. Williams had made about checking on the children upstairs every 5 minute and if there was a reason to do so. Ms. Williams stated there was no specific reason, she does that routinely. She reported there was another preschool aged child upstairs on the day of the alleged incident. Ms. Williams stated she does not believe Child A touched Child 1 inappropriately. Ms. Williams reported Child 1 has at times fibbed.

Mr. Garlinghouse asked Ms. Williams if Child A has had problems with managing anger. Ms. Williams reported this child will yell and scream when upset. Ms. Williams stated this is not done in front of the other children in day care.

On this date, Mr. Garlinghouse and Ms. Trpkosh also spoke with Sonya Bender the co-provider for this registered home. She reported she usually works from 8:00 a.m. until 2:30 p.m. depending on the number of children in care. On the day of the alleged incident Ms. Bender reported she left at 2:30 and was not present when this reportedly occurred. Mr. Garlinghouse asked how often the upstairs was being used for child care and Ms. Bender stated she could not say as she was not here late afternoons. She did report a parent of Child 1 told her the children were upstairs when she came to pick up a “couple of times”.

Ms. Bender was asked if she was aware of any behaviors Child 1 displays when angry. She reported this child gets loud, yells and swears. Ms. Bender added she has witnessed this behavior but not seen it while in the presence of the other children in care.

Ms. Trpkosh asked Ms. Bender if she thought Child 1 was the type of child to make up stories. She reported this child was trustworthy and not prone to lying or making up stories.

Ms. Trpkosh asked Ms. Bender if she was aware of Child A acting in this way. She reported Ms. Williams had told her a week ago about the allegation of Child A inappropriately touching a foster child a while ago.

In summary, from the information gathered, Tina Williams was determined to be out of compliance for all the rules and requirements listed in the Rules Basis section of this report. Ms. Williams was aware she was not allowed to use her second floor for child care because it did not have a direct second exit. This put children’s safety at risk if there was a fire and the only exit was not accessible. Despite knowing this, Ms. Williams reported using the second floor of her home for child care on the day the alleged incident of inappropriate touching occurred. She reported using the second floor three other times previously. She allowed a child who she knew exhibited behaviors (getting loud, yelling and swearing) that would be scary to children to be alone with younger children on a separate floor from the child care area.

Due to Tina Williams voluntarily relinquishing her child care registration before the complaint investigation was completed .

Resolution: Tina Williams voluntarily relinquished her child care registration effective August 22, 2014. Sonya Bender voluntarily relinquished her child care registration effective August 8, 2014.

If you have any questions regarding this matter feel free to contact me at 892-6803 or email address [dgarlin@dhs.state.ia.us](mailto:dgarlin@dhs.state.ia.us).

Sincerely,

Social Worker

Social Work Supervisor